

# The Corporation of the Township of North Kawartha

## By-law 2019-086

### Being a by-law of the Corporation of the Township of North Kawartha to adopt a Council-Staff Relations policy

Whereas, Section 5 (3) of the Municipal Act, S.O. 2001, c.25 provides that municipal power shall be exercised by by-law; and

Whereas, Section 224 of said Act states that the role of Council includes ensuring that administrative policies, practices and procedures are in place to implement the decisions of Council; and

Whereas, Section 270 (1) of said Act provides that municipalities shall establish a policy regarding the relationship between members of council and the officers and employees of the municipality; and

Whereas, Council of the Corporation of the Township of North Kawartha deems it expedient and necessary to adopt a Council/Staff Relations Policy;

Now Therefore the Council of the Corporation of the Township of North Kawartha enacts as follows:

1. That the Council and Staff Relations Policy shall be attached hereto as Policy # and form part of this by-law;  
A09-C10

This by-law shall come into effect on the 13<sup>th</sup> day of August, 2019.

Read and Adopted in open Council on the 13<sup>th</sup> day of August, 2019.

Carolyn Amyotte, Mayor

Connie Parent, Clerk

**Subject: Council/Staff Relations Policy**

Effective:	Revised:	Revision No.:	Page 1 of 4	Policy:A09-C10
Review Date / Associated Documents / Legislation Section 270 (1) of the Municipal Act				

**Purpose**

Staff and Council understand that positive relationships are essential to the provision of public service excellence and effective governance in the Township of North Kawartha. Successful relationships involve mutual understanding of roles and responsibilities, two-way communication and clarity in reporting relationships. These principles can be achieved when high standards of conduct form the basis of all Council and Staff interactions. This policy is to outline the roles and working relations of Township of North Kawartha Council and staff.

**Scope**

The Council and Staff Relations Policy applies to all Members of Council, Officers and employees of the Corporation.

**Application**

In accordance with Section 270 (1) of the Municipal Act, 2001, this policy applies to all Members of Council and officers and employees of the Corporation. This Policy shall be interpreted and construed in accordance with all applicable Policies and By-laws of the Corporation of the Township of North Kawartha the laws of the Province of Ontario and the laws of Canada.

**Definitions**

“**Chief Administrative Officer**” means the Chief Administrative Officer as referred to in *Section 229 of the Municipal Act*, of the Corporation of the Township of North Kawartha who may also be referred to as the CAO.

“**Clerk**” means the Clerk of the Corporation of the Township of North Kawartha.

“**Council**” means the elected and sworn member(s) of the Council of the Corporation of the Township of North Kawartha.

“**Municipality**” means the Township of North Kawartha.

“**Staff**” means direct employees of the Township whether full-time, part-time, contract (including employees of staffing agencies) or casual (including students and volunteers);

**Policy Requirements**

The relationship between Members of Council and the officers and employees of the Township of North Kawartha is guided by the following policy, and the associated documents from which language is drawn. This Policy complements the existing legislation governing conduct of Members and Staff including, but not limited to, the Municipal Act, the Ontario Human Rights Code, and the Criminal Code of Canada.

### **Role of Members of Council**

1. The role of Council as a whole as expressed collectively is three-fold:
  - a) Representative Role – to represent constituents in dealing with issues before Council, keeping the greater good of all Township of North Kawartha constituents in mind;
  - b) Policy Role – to make policy and establish general principles to guide future action and decisions for the Township of North Kawartha;
  - c) Stewardship Role – to be stewards of municipal resources, and to ensure financial and administrative resources are being used efficiently, consistent with established policy, legislation and objectives of Council of the Township of North Kawartha
2. Elected officials do not have an administrative managerial role in the day to day business of the organization. Only Council as a whole and no single Member, including the Mayor, has the authority to direct employees, approve budgets, policy, and other such matters, unless specifically authorized by Council, with such direction to staff coming from Council through resolution or By-laws.
3. Truly, faithfully and impartially exercise the office to the best of their knowledge and ability;

#### **Members shall;**

4. Act in a way that enhances public confidence in local government;
5. Respond to concerns from the public and refer concerns to staff members;
6. Refrain from behaviour that could constitute an act of disorder or misbehaviour, is an abuse of power or otherwise amounts to discrimination, intimidation, harassment, verbal abuse, or the adverse treatment of others; or prejudices the provision of a service or services to the community;
7. Discuss issues with the CAO and advise staff of questions that may arise prior to Committee or Council meetings whenever possible;
8. Understand that their discussions with staff may be communicated and that a member of Council cannot compel a member of staff to keep matters confidential;
9. Respect staff and acknowledge that staff is required to provide objective advice while remaining neutral, carry out directions of Council as a whole, and administer the policies of the municipality without undue influence from any Member;
10. Respect the administrative structure and direct any staff performance concerns through the appropriate senior supervisory staff;
11. Have due regard for the Procedural By-Law; and
12. Consult with the CAO prior to making commitments to agencies, groups, citizens, or likewise.

### **Role of Staff**

1. Provide timely reports to Council outlining factors that will assist in their decision making process and provide information based upon professional expertise and good judgement, and free from undue influence from any individual member or members of

- Council;
2. Research policy issues as required;
  3. Implement Council's decisions;
  4. Manage and identify the means for achieving corporate goals and outcomes;
  5. Provide appropriate follow-up to Council inquiries and keep members of Council up-to-date and informed, as appropriate – staff do not have a political role;
  6. Ensure that Council members are aware of any issues that may impact upon their decision making process;
  7. Respond to inquiries from Council members in a timely fashion, when appropriate;
  8. Present a professional opinion, in writing or in person at Council meetings and Committee meetings; and
  9. Notify Council members of changes to legislation and any unexpected impacts of policy decisions through written material circulated electronically or at a Council or Committee meeting.

#### **Reporting Relationship**

The formal relationship between Council and Staff must be respected to ensure equal treatment. For significant or sensitive issues, Council and Staff are encouraged to primarily direct questions and concerns to the Mayor and/or CAO and/or Department Head for their consideration.

#### **Expectations of Information Flow Outside of Regular Business Hours**

It will not be expected that responses will be sent or actions taken by staff outside of regular administrative business hours, with the exception of urgent matters and emergencies.

#### **Open Meeting Agendas, Reports and Minutes**

Open Committee and Council meeting Agendas and Minutes are circulated to members of Council in advance of the meeting and are available on the Township of North Kawartha website.

#### **Questions regarding the Agenda and Minutes**

Questions regarding:

1. The Council Agenda are to be directed to the Clerk or CAO;
2. A Committee Agenda are to be directed to the Clerk or CAO; and
3. The Minutes are to be directed to the Clerk.

#### **Closed Meeting Agendas, Reports and Minutes**

Closed Meeting Agendas, Reports and Minutes, for Committees and Council, are circulated to members of Council in advance of the meeting and must be kept confidential.

#### **Media Relations**

Members of Council will accurately and adequately communicate the attitudes and decisions of Council, even if they disagree with a majority decision of Council so that;

- There is respect for the decision making processes of Council;
- Official information related to decisions and resolutions made by Council will normally be communicated in the first instance to the community and the media in an official capacity by the Mayor or designate; and

- Information concerning adopted policies, procedures and decisions of the Council is conveyed openly and accurately.

### **Accountability and Transparency**

Staff and Council must be committed to the principles of accountability and transparency, including consultation both with each other and with the public. Open lines of communication are essential.

### **Non Compliance**

To better strengthen staff and Council relationships, it is encouraged that informal discussions be held prior to submitting any formal complaint. The following municipal policies will be referenced for all complaints:

The in effect:

1. Code of Conduct for Members of Council By-Law
2. Code of Conduct/Conflict of Interest in the Corporate Policies and Procedures; Section A
3. Procedural By-Law
4. Violence and Harassment Policy in the Corporate Policies and Procedures; Section A

### **Review Cycle**

This policy will be reviewed once per term of Council, or as required, due to legislative changes.